

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of Confirmation No. **9534**
BERG-SCHULTZ Atty. Ref.: **4662-43**
Serial No. **10/542,927** Group: **4173**
Filed: **July 21, 2005** Examiner: **Farzaneh**
For: **NOVEL STABILIZED CINNAMIC ESTER SUNSCREEN COMPOSITIONS**

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February 5, 2008

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NON-FINAL ACTION

Sir:

The following comments are intended to be fully responsive to the non-final Official Action dated January 23, 2008, which set a nominal response due date of February 23, 2008.

1. Species Election

Applicants hereby elect DEA-Methoxycinnamate as the ultimate species of the at least one additional non-encapsulated sunscreen defined in pending claim 8.

All pending claims 1-8 read on the elected species, of which claims 1-7 appear to be generic.

An early and favorable action on the merits of claims 1-8 is therefore awaited.

BERG-SCHULTZ
Serial No. 10/542,927
February 5, 2008

2. Fee Authorization

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____ /Bryan H. Davidson/
Bryan H. Davidson
Reg. No. 30,251

BHD:dlb
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100